

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JENNIFER WHITE,	)	
	)	
Plaintiff,	)	
v.	)	No. CIV-24-631-J
	)	
PAUL ZIRIAX, in his individual capacity,	)	First Amendment Claim
	)	Arising Oklahoma County
HEATHER MAHIEU CLINE, in her individual	)	
capacity,	)	
	)	
TIM MAULDIN, in his individual capacity,	)	
	)	JURY TRIAL DEMANDED
MIGNON LAMBLEY in her individual capacity,	)	
	)	
Defendants.	)	

**AMENDED COMPLAINT**

**COMES NOW THE PLAINTIFF**, and, pursuant to Fed.R.Civ.P. 15(a)(1)(A), amends her allegations and offers the following:

**PARTIES**

1. The Plaintiff is Jennifer White, an adult resident of Oklahoma County, Oklahoma.
2. The Defendants are:
  - A. Paul ZiriAx, Secretary of the Oklahoma Election Board, who is a resident of Oklahoma County and who is sued in his individual capacity;
  - B. Heather Cline, a member of the Oklahoma Election Board and a resident of Oklahoma County, who is sued in her individual capacity;
  - C. Tim Mauldin, a member of the Oklahoma Election Board and a resident of Cleveland County, who is sued in his individual capacity; and
  - D. Mignon Lambley, a member of the Oklahoma Election Board and a

resident of Texas County, who is sued in her individual capacity.

**JURISDICTION AND VENUE**

3. This is a cause of action for injury to Plaintiff's First Amendment right by officers of the State of Oklahoma acting under color of law, which injury is made actionable by 42 U.S.C. § 1983. Jurisdiction is vested over such action pursuant 28 U.S.C. §§ 1331, 1343(a)(3).
4. All of the actions complained of occurred in Oklahoma County, Oklahoma, which is within the Western District of the United States District Courts for Oklahoma, wherefore venue is proper in this Court under 28 U.S.C. § 1391(b).

**STATEMENT OF FACTS**

5. Jennifer White is an adult female who was appointed as an alternate member of the Oklahoma County Election Board on or about May 18 , 2023.
6. On or about August 17, 2023, Ms. White became aware of certain issues in the manner of operation of the Oklahoma County Election Board. Acting as a citizen, and pursuant to her position or any job duties, Ms. White communicated those issues to a state representative and also the Oklahoma County Chairman of the Republican Party.
7. On or about September 6, 2023, Ms. White attended training to perform her duties with the county election board and, as part of that training, was made aware that those duties included being present in the room where absentee ballots were to be counted and, thereafter, to certify the results of the count.
8. On or about September 12, 2023, and then again on October 10, 2023, special elections were conducted and the Plaintiff became aware that, contrary to her understanding of the regulations governing the counting of absentee ballots,

the Oklahoma County Election Board members were not present in the room where the ballots were being counted. Rather, the board members were remotely observing a count conducted by election board employees. This observation was done by closed circuit television, but the television feed did not show the entire room, or the movement of ballots, and the camera did not clearly show the count on the machines. Further, the board members were not observing the actual tallies from the election machines for the in-person voting.

9. On or about October 16, 2023, the Oklahoma County Republican Party conducted a meeting with several state representatives. The Plaintiff attended this meeting as a private citizen and not as a representative of the Election Board and not pursuant to any of her duties. At this meeting, the Plaintiff shared concerns about potential improprieties which could be viewed as violations of Oklahoma's state election laws relating to the security and integrity of the voting process.
10. Ms. White has a personal website (rope2.org) which she operates as a private citizen and not as a representative of the Election Board. On or about January 7, 2024, Ms. White uploaded to that personal website a copy of a formal complaint that had been sent to Paul Ziriaux regarding improprieties and potential illegalities involving, among other things, the canvassing and counting of absentee ballots.
11. Ms. White has a personal podcast which she operates as a private citizen and not as a representative of the Election Board. On January 24, 2024, the Plaintiff discussed election issues, including issues of canvassing and counting absentee ballots, on her personal, public podcast.

12. On or about January 25, 2024, Defendant Ziriaux sent notice to the Plaintiff requiring that she attend a meeting of the State Election Board on January 31, 2024.
13. On or about January 31, 2024, the Defendants removed the Plaintiff from her position because of her public complaints regarding the operations of the county election board. Part of the stated reason for removal was the allegation she had disseminated false election information.
14. Such action was directly in retaliation for the Plaintiff's exercise of her First Amendment rights.
15. The actions of the Defendants caused Plaintiff injury in the form of emotional distress and reputational harm.

**WHEREFORE**, the Plaintiff prays that she be awarded her actual damages and nominal damages against the Defendants, together with her costs, interest, attorneys fees, and such other appropriate remedies as allowed in law or equity.

**RESPECTFULLY SUBMITTED, THIS 6<sup>th</sup> DAY OF AUGUST, 2024.**

s/ Mark Hammons  
Hammons, Hurst & Assoc.  
Mark Hammons, OBA No. 3784  
325 Dean A. McGee  
Oklahoma City, OK 73102  
Telephone: (405) 236-6100  
Facsimile: (405) 235-6111  
Email: assistant@hammonslaw.com  
*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

A true copy of the foregoing document was served on opposing counsel below listed by use of this Court's ECF system of filing and mailed on this 6<sup>th</sup> day of August, 2024:

Tracy E. Neel OBA # 33574  
Kevin L. McClure OBA # 12767  
Ass't Attorney General  
Oklahoma Attorney General's Office  
Litigation Section  
313 NE 21<sup>st</sup> St.  
Oklahoma City, OK 73105  
Ph: (405) 521-3921  
Fax: (405) 521-4518  
Email: tracy.neel@oag.ok.gov  
kevin.mcclure@oag.ok.gov

s/ Mark Hammons